**P**01

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RE:

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TO:

**Examiner Lawrence Lambelet** U.S. Patent and Trademark Office

GAU:

1732

PHONE: FAX:

571-272-1713 571-273-8300

FROM:

Eugene J. Rosenthal

Reg. No. 36,658

Lucent Technologies Inc.

PHONE: FAX:

(732) 949-1857 (732) 949-0102

DATE:

May 26, 2006

Pages (incl. Cover):

Re:

RESPONSE TO RESTRICTION REQUIREMENT

Case No.:

Greywall 35-19

Ser. No.:

10/789154

File Date:

February 27, 2004

Title:

Carbon Particle Fiber Assembly Technique

#### Certification of Facsimile Transmission

I hereby certify that this correspondence (and any paper referred to as being transmitted therewith) is being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on the date indicated below:

May 26, 2006

Date

SHARON LOBOSCO

PAGE 1/5 \* RCVD AT 5/26/2006 10:38:36 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/40 \* DNIS:2738300 \* CSID:7329490102 \* DURATION (mm-ss):01-16

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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#### PATENT APPLICATION

Dennis S. Greywall Bernard Yurke

CASE

35-19

Serial No.

10/789,154

Group Art Unit 1732

Filed

February 27, 2004

Examiner

Lawrence Lambelet

Title

Carbon Particle Fiber Assembly Technique

COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

SIR:

Enclosed is a Response to Restriction Requirement in the above-identified application.

#### NO ADDITIONAL FEE REQUIRED

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit Deposit Account No. 12-2325 as required to correct the error.

Respectfully

Eugene J. Rosenthal, Attorney

Reg. No. 36658 732-949-1857.

Date: 5/26/06

Docket Administrator (Room 3J-219)

Lucent Technologies Inc. 101 Crawfords Corner Road Holmdel, NJ 07733-3030

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PT 16 (10/01)

PAGE 2/5 \* RCVD AT 5/26/2006 10:38:36 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/40 \* DNIS:2738300 \* CSID:7329490102 \* DURATION (mm-ss):01-16

MAY 26 2006

Serial No. 10/789,154

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#### **Patent Application**

Inventor(s): D. S. Greywall

B.Yurke

Case:

35-19

Serial No.:

10/789,154

Group Art Unit

1732

Filed:

February 27, 2004 L. E. Lambelct

Examiner: Title:

Carbon Particle Fiber Assembly Technique

COMMISSIONER FOR PATENTS P.O. BOX 1450 **ALEXANDRIA, VA 22313-1450** 

SIR:

## RESPONSE TO RESTRICTION REQUIREMENT

This communication is in response to the Office Action dated May 1, 2006.

#### Remarks

Claims 1-31 are pending in the application.

The Office Action is a restriction requirement, requesting applicants to choose between group I, claims 1-13 and 15-21, drawn to methods of assembling carbon particles into one or more fibers, and group II, claims 14 and 22-27, drawn to a fiber product.

Applicants hereby clect group I, with traverse.

The Office Action states that the product of group II can be made by another process other than the process of group I. In particular, the Office Action states that the product of group II can be made by gel-spinning.

In this regard, applicants first point out that claim 14 states "A fiber produced by the process defined in claim 1". Hence, it is not possible for the fiber of claim 14 to be made by any process other than that of claim 1, and certainly not gel-spinning. Thus, claim 14 is not distinct from the claims of group I.

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